IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

Bail Appl..No. 658 of 2007()

O.R.NO.3/06 OF CHARPA FOREST RANGE

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: PETITIONERS/ACUSED 4, 5.

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1. BABY, AGED 31 YEARS,
   S/O.PANACHILAKKUDY RAPHAEL,
   NEELESWARAM VILLAGE, CHAKKUKETIL DESOM,
   ALUVA TALUK.

2. ANTO, AGED 40M YEARS,
   PEEDIKAKKARAN HOUSE, NEELESWARAM VILLAGE,
   ALUVA TALUK.

BY ADV. SRI.K.SUNILKUMAR

RESPONDENTS: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 658 OF 2007 B

Dated this the 6th day of February, 2007

O R D E R

The petitioners, who are accused Nos.4 and 5 in O.R. No.3/2006 of Charpa Excise Range for offences punishable under Sec.27(1)(2)(IV) of the Kerala Forest Act and section 9 of the Wild Life Protection Act for allegedly trespassing into the reserve forest and killing a Sambar Deer and sharing its meat, seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file an application for regular bail, within a period of two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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